

E-filed 9/14/06

ALAN H. LAZAR (SBN 046308)
THOMAS S. FLYNN (SBN 194231)
CHARLSTON, REVICH & CHAMBERLIN LLP
1925 Century Park East, Suite 1250
Los Angeles, California 90067-2746
Telephone: (310) 551-7000; Facsimile: (310) 203-9321

CLIFFORD HIRSCH (SBN 102085)
BARRETT B. BRAUN (SBN 139159)
CLIFFORD HIRSCH, A PROFESSIONAL LAW CORPORATION
100 Pringle Avenue, Suite 415
Walnut Creek, California 94596
Telephone: (925) 935-9800; Facsimile: (925) 935-9825

Attorneys for Defendants
AMERICAN MOTORISTS INSURANCE COMPANY and
AMERICAN PROTECTION INSURANCE COMPANY

DOUGLAS SCOTT MAYNARD (SBN 102085)
MAYNARD LAW OFFICES
1475 South Bascom Avenue, Suite 115
Campbell, California 95008
Telephone: (408) 559-8990; Facsimile: (408) 559-7860

Attorneys for Plaintiff
IDEC CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IDEC CORPORATION,

Plaintiff,

v.

AMERICAN MOTORISTS INSURANCE
COMPANY, INC., KEMPER NATIONAL
INSURANCE COMPANIES, AMERICAN
PROTECTIVE INSURANCE COMPANY, and
DOES 1 THROUGH 20, INCLUSIVE,

Defendants.

CASE NO.: CV 02-01723 JF (RS)

**STIPULATION TO CONTINUE
SEPTEMBER 15, 2006 CASE
MANAGEMENT CONFERENCE TO
OCTOBER 13, 2006; DECLARATION
OF THOMAS S. FLYNN**

Date: September 15, 2006
Time: 9:00 a.m.
Judge: Hon. Jeremy Fogel
Dept.: 3

1 Plaintiff IDEC Corporation and defendants American Motorists Insurance Company, Inc.,
 2 and American Protection Insurance Company hereby stipulate to an Order continuing the
 3 September 15, 2006 Case Management Conference ("CMC") until October 13, 2006.

4 As set forth in the Thomas S. Flynn Declaration, below, good cause exists for such an
 5 Order because the Court ordered the September 15, 2006 CMC in anticipation of a Settlement
 6 Conference before Magistrate Seeborg before that date. Magistrate Seeborg scheduled the
 7 Settlement Conference for September 12, 2006. However, Magistrate Seeborg had to continue
 8 the Settlement Conference because of an emergency motion on September 12, 2006.
 9 Accordingly, the CMC is moot. Moreover, good cause exists to hear the CMC on October 13,
 10 2006, as the Court will also hear IDEC's Motions to Strike and Dismiss on that date.

11 Respectfully submitted,

12 MAYNARD LAW OFFICES
 13 DOUGLAS SCOTT MAYNARD

14 DATED: September ___, 2006

By: _____

15 Douglas S. Maynard
 16 Attorneys for Plaintiff
 17 IDEC CORPORATION

18 CHARLSTON REVICH & CHAMBERLIN LLP
 19 ALAN H. LAZAR
 20 THOMAS S. FLYNN

21 DATED: September 14, 2006

By: _____

22 Thomas S. Flynn
 23 Attorneys for Defendants
 24 AMERICAN MOTORISTS INSURANCE
 25 COMPANY and AMERICAN PROTECTION
 26 INSURANCE COMPANY

27 PURSUANT TO STIPULATION, IT IS SO ORDERED:

28 DATED: September 14, 2006

By: _____

HON. RICHARD SEEBORG Jeremy Fogel
 United States Magistrate Judge
 District

1 Plaintiff IDEC Corporation and defendants American Motorists Insurance Company, Inc.,
2 and American Protection Insurance Company hereby stipulate to an Order continuing the
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11 Respectfully submitted,

12 MAYNARD LAW OFFICES
13 DOUGLAS SCOTT MAYNARD

14 DATED: September 14, 2006

15 By: 

16 Douglas S. Maynard
17 Attorneys for Plaintiff
18 IDEC CORPORATION

19 CHARLSTON REVICH & CHAMBERLIN LLP
20 ALAN H. LAZAR
21 THOMAS S. FLYNN

22 DATED: September ___, 2006

23 By: _____

24 Thomas S. Flynn
25 Attorneys for Defendants
26 AMERICAN MOTORISTS INSURANCE
27 COMPANY and AMERICAN PROTECTION
28 INSURANCE COMPANY

24 PURSUANT TO STIPULATION, IT IS SO ORDERED:

25 DATED: September ___, 2006

26 By: _____

27 HON. RICHARD SEEBORG
28 United States Magistrate Judge

DECLARATION OF THOMAS S. FLYNN

I, Thomas S. Flynn, declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts of the State of California, and before the United States District Court for the Northern District of California. I am an associate with Charlston, Revich & Chamberlin, LLP ("CRC"), attorneys of record for defendants American Motorists Insurance Company, Inc., and American Protection Insurance Company (collectively, "Defendants"). I have personal knowledge of the matters set forth herein. If called to testify to such matters, I could and would competently do so.

2. On August 4, 2006, this Court set a Case Management Conference ("CMC") on September 15, 2006, and ordered the parties participate in a Settlement Conference before Magistrate Seeborg before that date.

3. On August 14, 2006, Magistrate Seeborg set the Settlement Conference on September 12, 2006.

4. On September 5, 2006, my colleague Alan Lazar notified me that Magistrate Seeborg took the Settlement Conference off-calendar. On September 14, 2006, I spoke with Magistrate Seeborg's secretary, who confirmed that on September 5, 2006, she had notified Mr. Lazar the Settlement Conference was off-calendar. She further stated that Magistrate Seeborg took the Settlement Conference off-calendar because he had to hear an emergency motion on September 12, 2006.

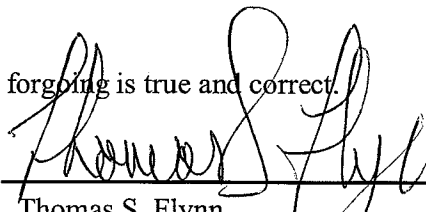
5. As a result, the September 15, 2006, CMC is moot.

6. Accordingly, defendants request that the Court continue the CMC to October 13, 2006, the date the Court will hear IDEC's Motions to Dismiss and Strike.

7. I spoke with Plaintiff's counsel, Douglas Scott Maynard, this morning. Mr. Maynard agreed to stipulate to continue the CMC until October 13, 2006.

Executed September 14, 2006.

I declare under penalty of perjury that the foregoing is true and correct.


Thomas S. Flynn